IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4171 OF 2004

M/s. Swehan Enterprises & anr. ... Applicants

versus

Belfino Investment and
Corporative Services Pvt.Ltd.
and another ... Respondents

...

Mr. A.P. Mundargi i/by M/s. Prakash & Co., for the Applicants.

Mr. K.V. Saste, A.P.P., for the State.

...

CORAM : A.M.KHANWILKAR,J.

6th December 2004

P.C.:

. Heard Counsel for the parties. To my mind, no fault can be found with the approach of the Court below in opining that the question whether the amount made over to the complainant was simpliciter loan transaction or a regular transaction coupled with liability to pay interest in the event of failure to comply with

the obligation is a matter which can be considered only at the trial. Hence, not a case for interference. Dismissed.

(A.M.KHANWILKAR,J.)